



Mr. Pittington has incurred additional costs and litigation expenses throughout the appellate process. Pursuant to the Sixth Circuit's mandate, there is no longer a final judgment for which Mr. Pittington can file a new or supplemental Bill of Costs; a final judgment will enter following the new trial on damages, which is scheduled to occur on September 11, 2018. Once the final judgment is entered, Mr. Pittington will submit a supplemental Bill of Costs, as well as a supplemental petition for attorney fees. However, since the new trial is only to determine the correct amount of damages, Plaintiff is still the prevailing party as a matter of law. Accordingly, Mr. Pittington respectfully asks the Court to proceed with an interim award of costs based on the Bill of Costs (Doc. No. 75) so as not to further deprive Mr. Pittington of these monies to which he is legally entitled.

RESPECTFULLY SUBMITTED,

s/ Jesse D. Nelson  
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CERTIFICATE OF SERVICE

I certify that this pleading or document was served via the Court's ECF Filing System on all users authorized and directed to receive such service, this 23rd day of July, 2018.

s/ Jesse D. Nelson